

Setter Ollila LLC
2060 Broadway
Suite 300
Boulder, Colorado 80302

PATENT APPLICATION

ATTORNEY DOCKET NO. 35015/002

**IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE**

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JAN 24 2006**

Inventor(s): Martin A. Schlosser

Serial No.: 09/994,257

Examiner: Jermie E. Cozart

Filing Date: 11/26/2001

Group Art Unit: 3726

**Title: METHOD OF MANUFACTURING A FLOWMETER FOR THE
PRECISION MEASUREMENT OF AN ULTRA PURE MATERIAL FLOW**

**MAILSTOP: Appeal Brief-Patents
COMMISSIONER FOR PATENTS
P. O. Box 1450
Alexandria, VA 22313-1450**

REPLY BRIEF

This reply brief is being filed in response to the examiners answer mailed on 11/25/2005.

Summary of the requirements for *prima facie* obviousness.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

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